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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
VU, NGOC YEN T	

ART UNIT	PAPER NUMBER
2612	32

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	08/579,739	SAKAEGI, YUJI	
	Examiner	Art Unit	
	Ngoc-Yen T. Vu	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 February 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 02/09/2004, have been entered and made of record. Claims 1-21 are pending.

Response to Arguments

2. Applicant's arguments filed 02/09/2004 have been fully considered but they are not persuasive.

With respect to the Hicks '672 reference, the Applicant argues that Hicks could not possibly describe control that is based on a discrimination or detector, which is electrically energized via the connection to the control apparatus. The Examiner respectfully disagrees. Hicks specifically teaches that when the computer I/O port shows some activity, the invention supplies power to the peripheral, and when the computer I/O port shows no activity, the invention eliminates power to the peripheral (col. 1 line 60 – col. 2 line 7; col. 4 lines 36-39). Hicks further teaches that the detecting means is electrically energized via the connection to the control apparatus (Hicks specifically teaches in column 4, lines 50-60, that when the host port shows activity, the microprocessor (39) sending a voltage to the relay 43 which activates the regulated outlet (6) and supply power to the peripheral.)

With respect to the Aoki '359 reference, the Applicant argues that Aoki fails to disclose or suggest the feature of controlling the power supply of electric power from the power source to the predetermined circuit for a predetermined period even when the power switch is off. The Examiner respectfully disagrees. For the same purpose of conserving power consumption of a

peripheral apparatus as taught in Hicks, Aoki teaches a camera and a computer which have independent power sources (col. 2 lines 10-16; col. 4 lines 13-16). It would have been obvious to one of ordinary skill in the art that the camera and the computer have their own power switches in order for the camera and the computer to activate their independent power sources. Aoki further teaches the camera is connected to the computer, a switching mechanism provided in the camera automatically switches the source of camera power supply from camera power source to the computer power source (col. 2 lines 11-16; col. 4 lines 3-20; col. 5 lines 4-18). Since Aoki expressly teaches that the camera is automatically switched from the source of camera power supply from camera power source to the computer power source upon the detection of the connection between the camera and the computer, it would have been obvious to one of ordinary skill in the art to recognize that the power supply of electric power from the power source of the computer to the predetermined circuit of the camera for a predetermined period even when the power switch of the camera is off.

With respect to the Kikinis '924 reference, the Applicant argues that Kikinis fails to disclose or suggest the feature of controlling the supply of electric power from the power source to the predetermined circuit for a predetermined period of time, with such control being affected based on a discrimination or detector, which is electrically energized via the connection to the control apparatus. The Examiner respectfully disagrees. The Kikinis reference was used to show that poser from the PC is supplied to the monitor a predetermined period of time even when the power switch is off (see col. 6 lines 12-35). The Examiner has relied on the Hicks reference for the teaching of a discrimination or detector, which is electrically energized via the connection to the control apparatus (see the above noted Examiner's response).

In view of the above, the Examiner believes that the broadest interpretation of the present claimed invention does in fact read on the cited references for at least the reasons discussed above and as stated in the Office action as follows. This Office action is made final.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-3, 6, 12-15 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks (US #5,594,672) in view of Aoki (US #5,438,359).

Regarding claims **1-2**, Hicks discloses a system that includes a power saving feature. As seen in figure 1, the system includes a peripheral apparatus (power saver 17), a predetermined circuit (printer 2), and a personal computer (1). As can be seen in figure 1 and described in the corresponding parts of the specification, the power saver detects the voltage level of a signal line (13) connected to the computer (1) (see col. 3 lines 38-55; col. 5 lines 49-65). Based on this determination, power is supplied to the printer (2) via power cord (3). Hicks further teaches discriminating means (microprocessor 39/49 and button 35) for discriminating whether or not a communication request of a predetermined procedure has been received from the personal computer (1) after the electric power of the power source was supplied to the printer (2) by said power saver (17) (col. 1, line 60 to col. 2 line 27; col. 3 line 38 to col. 5 line 65), wherein said microprocessor 39/49 detects the voltage level of the signal line connected to the personal computer (col. 5 lines 49-65); and control means (39/49) for continuing the supply of the electric power from the power saver (17) once said discriminating means discriminates a presence of the communication request (col. 1 lines 60+, and in col. 4 lines 35+.) Hicks further teaches that the

detecting means is electrically energized via the connection to the control apparatus (Hicks specifically teaches in column 4, lines 50-60, that when the host port shows activity, the microprocessor (39) sending a voltage to the relay 43 which activates the regulated outlet (6) and supply power to the peripheral.)

Claims 1-2 differ from Hicks in that the claim further requires that said discriminating means is powered by the personal computer (1) via the signal line. However, Hicks does show that the peripheral apparatus (17) has its own power cord (4). As evidenced by Aoki, it is well known in the art that electronic apparatus such as the personal computer (1) or the peripheral apparatus (17) shown in Hicks has its own power source which could be either a power cord or a battery. Claims 1-2 also differs from Hicks in that the claim requires that the peripheral apparatus which has a power switch wherein the power supply control means control a supply of the electric power to the predetermined circuit for a predetermined period even when said power switch is off.

In the same field of endeavor, Aoki teaches an electronic camera (1) which can be connected to a computer apparatus (2) (see Fig. 1). Aoki further teaches that the electronic camera (1) has a battery (16) and a power circuit (119) (see Fig. 3). In column 4, lines 3-16, Aoki teaches that the power circuit (119) can be supplied with the power from the power source (25) of the personal computer (2), or the power circuit (119) can be driven by a power supplied from the battery (16). Aoki also teaches in column 4, lines 16-20, that when the camera (1) is connected to the personal computer (2), the power supply to the power circuit (119) from the battery (16) is automatically switched to the power supply from the power source (25) of the personal computer (2). In light of the teaching from Aoki, it would have been obvious to have

the power source from the computer (1) power the discriminating means of the peripheral device (17) shown in Hicks so that the peripheral device (17) need not be tethered to a wall outlet.

As to claim **3**, Hicks shows in figure 1, the power supply cord (3) and the data signal line (13) are separate.

As to claim **6**, Hicks shows that the peripheral apparatus has its own power cord (4). Official Notice is taken that the personal computer has its own power source which could be either a power cord or a battery. It would have been obvious to have the power source from the computer power the detecting means of the peripheral device so that the peripheral device need not be tethered to a wall outlet.

Regarding claims **12-15** and **18-19**, they are considered substantively equivalent to claims 1-2 which were discussed above.

5. Claims 4-5, 7-11, 16-17 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks (US #5,594,672) in view of Aoki (US #5,438,359), and further in view of Kikinis et al. (US #5,821,924).

As to claims **4-5**, Hicks specifically shows in figure 1 that the peripheral apparatus can be a printer (2). As discussed in col. 1 lines 25+ and col. 5 line 1+, peripheral devices other than printers can also be used with computers. Throughout the specification, Hicks uses the generic term "peripheral device" implying that any known type of peripheral device could be used with the power-saving system, not only a printer. Aoki discloses that it is known in the art to also use a camera as a peripheral device to a personal computer (col. 1, lines 13+.) This allows a user to transmit image data to and receive image data from the computer from the camera allowing

greater processing capability as well as the opportunity to store a large number of images (col. 1 line 23 - col. 2 line 30.) Since Hicks specifically discloses that computers may be used with different types of peripheral devices, and Aoki discloses that it is advantageous to use cameras along with computers, it would have been obvious to one of ordinary skill in the art to use a camera as the peripheral device in the power saving system disclosed by Hicks.

With respect to the limitation of a power switch, in figures 1, 2 and 5, Kikinis teaches a computer peripheral (monitor 547) including a power switch (switch 553), detecting means (Sync. Detecting circuit 551) for detecting a voltage level of a signal line (VGA cable 127) connected to a personal computer (PC 111/211), and power supply control means (power supply 555) for controlling a supply of an electric power from a power source to a predetermined circuit (a video circuit) (see col. 4 line 2 - col. 6 line 11). Kikinis further teaches that the power from the PC is supplied to the monitor for a predetermined period even when said power switch is off (see col. 6 lines 12-35). In light of the teaching from Kikinis, it would have been obvious to one of ordinary skill in the art to modify the peripheral apparatus of Hicks and Aoki by providing the apparatus a power switch wherein power is supplied to the apparatus even when the power switch is off so as to assure that power to the apparatus can be supplied in a variety of means.

Regarding claim 7, it is considered essentially similar to the combination of claims 1 and 4 which were discussed above. See the above description of how Hicks applies to the limitations. Likewise, Hicks further teaches that the supply of electric power to peripheral device (2) is stopped in the case that the predetermined command is not discriminated by said discriminating means (col. 1, lines 60+).

Aoki discloses that a camera may be used as a peripheral device which may be connected to a computer (col. 1 line 8 to col. 2 line 30.) For the same reasons discussed above, it would have been obvious to use a camera as the peripheral device in the power-saving system disclosed by Hicks. Aoki specifically states that the camera may be used as a stand-alone device while not connected to the computer (col. 1 line 45+.) As shown in figure 3, Aoki show a camera including a recording means (3) and a buffer (115).

As to claims **8-9**, they are considered substantively equivalent to claims 2-3 which were discussed above.

As to claim **10**, Hicks, as modified by Aoki, discloses that the recording means has a buffer (32) for storing the photographed image information (Aoki, Figs. 3-5).

As to claim **11**, it is considered substantively equivalent to claims 6 which was discussed above.

As to claims **16** and **20**, it is considered substantively equivalent to claim 4 which was discussed above.

As to claims **17** and **21**, Aoki shows an image pickup means (Fig. 3, CCD 14).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Satoh et al. (US #6,111,662) teach a digital still camera (DSC) that has its power-on state brought about simultaneously with the start of communication with a PC without need for

operation of the power switch of the receiving camera by the user (col. 39 line 11 – col. 40 line 61).

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is 703-305-4946. The examiner can normally be reached on Mon. – Fri. from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NGOC-YEN VU
PRIMARY EXAMINER
Art Unit 2612

NYV
04/28/2004